

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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RESORT PROPERTIES OF AMERICA,
INC., et al.,

Plaintiffs,

v.

WESTGATE RESORTS, INC. et al.,

Defendants.

Case No. 2:15-cv-02122-RFB-PAL

ORDER

(Mot Stay Disc – Dkt. #26)

Before the court is Defendants Westgate Resorts, Inc., Westgate Resorts Ltd., Central Florida Investments, Inc. and Westgate Las Vegas Resort, LLC's Motion to Stay Discovery and Supporting Memorandum of Points and Authorities (Dkt. #26), and the parties' Proposed Alternative Discovery Plans and Scheduling Order (Dkt. #27). Jeffrey Rugg and Jeffrey Lavigne appeared on behalf of the Plaintiffs. James Smyth and Robin Trupp appeared on behalf of the Defendants. The court considered the Motion (Dkt. #26), Plaintiffs' Response (Dkt. #29) and Defendants' Reply (Dkt. #30), the moving and responsive papers in Defendants' pending motion to dismiss, and the argument of counsel at the hearing conducted March 25, 2016.

Having reviewed and considered the moving and responsive papers and arguments of counsel regarding the motion to stay the court is not convinced that one or more Plaintiffs have not stated a claim on which relief may be granted. The motion to dismiss does not raise an issue with respect to jurisdiction, venue or immunity. The court will therefore deny the motion to stay and will enter a standard 180-day discovery plan and scheduling order calculated from the date the motion to stay was filed. Accordingly,

IT IS ORDERED that:

1. The Motion to Stay Discovery (Dkt. #26) is **DENIED**.

2. The parties' Proposed Alternative Discovery Plans and Scheduling Order (Dkt. #27) is **DENIED**, and the following discovery plan and scheduling order dates shall apply:

a. Last date to complete discovery: **August 10, 2016.**

b. Last date to amend pleadings and add parties: **May 12, 2016.**

c. Last date to file interim status report: **June 13, 2016.**

d. Last date to disclose experts pursuant to Fed. R. Civ. P. 26(a)(2):
June 13, 2016.

e. Last date to disclose rebuttal experts: **July 11, 2016.**


f. Last date to file dispositive motions: **September 9, 2016.**

g. Last date to file joint pretrial order: **October 10, 2016.** In the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until 30 days after a decision of the dispositive motions.

3. The disclosures required by Fed. R. Civ. P. 26(a)(3), and any objections thereto, shall be included in the pretrial order.

4. Applications to extend any dates set by this discovery plan and scheduling order shall, in addition to satisfying the requirements of LR 6-1, be supported by a showing of good cause for the extension. All motions or stipulations to extend discovery shall be received no later than **July 20, 2016**, and shall fully comply with the requirements of LR 26-4.

DATED this 25th day of March, 2016.


PEGGY A. TEEN
UNITED STATES MAGISTRATE JUDGE